

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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CHRISTOPHER HILDERBRANT,

Plaintiff,

- against -

THE CITY OF ROCHESTER, ANDREW  
DELDUCA, BING REAVES, ANTHONY  
MAZURKIEWICZ, MICHAEL DIPAOLA, “JOHN  
DOE POLICE OFFICERS 1-200” (names and number  
of whom are unknown at present), TODD BAXTER,  
“RICHARD ROE SHERIFF’S DEPUTIES 1-200”  
(names and number of whom are unknown at present),  
and other unidentified members of the Rochester Police  
Department and Monroe County Sheriff’s Office,  
Defendants.

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**NOTICE OF MOTION TO  
PARTIALLY DISMISS THE  
AMENDED COMPLAINT**

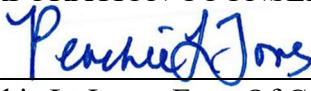
Case no: 6:21-cv-06714

Defendants City of Rochester, Andrew Delduca, Bing Reaves, Anthony Mazurkiewicz, and Michael DiPaola (collectively “City Defendants”) move this Court pursuant to FED. R. CIV. P. 12(b)(6) to dismiss for failure to state a claim for relief—or alternatively for summary judgment on—the first, seventh, eighth, eleventh, twelfth, and thirteenth causes of action in the Amended Complaint of the above-entitled action.

In support of this motion the Court is referred to the Declaration of Peachie L. Jones, Esq., with exhibits attached, and the Memorandum of Law, all submitted herewith and made part of this motion. City Defendants reserve the right to file a reply memorandum of law within fourteen days of Plaintiff’s filing any opposition to this motion.

Date: January 18, 2022

LINDA KINGSLEY  
CORPORATION COUNSEL

By:   
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